

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<p>MARC REICHBART, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 2:24-cv-01876-NIQA</p>
<p>JOSEPH STALLONE, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 2:24-cv-01901-NIQA</p>
<p>ALISON CROTEAU, on behalf of herself and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 2:24-cv-01946-NIQA</p>

<p>KEVIN BROOKS, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:24-cv-02007-NIQA</p>
<p>JESSE R. APTHORP, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:24-cv-02024-NIQA</p>
<p>MICKEY HWANG, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:24-cv-02033-NIQA</p>
<p>SOPHIE CAHEN VORBURGER, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:24-cv-2045-NIQA</p>

<p>DANA KERR, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:24-CV-2075-NIQA</p>
<p>DERRICK VINES and BRADFORD WICKS, individually and on behalf of those similarly situated,</p> <p>Plaintiffs,</p> <p>v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:24-CV-2085-NIQA</p>
<p>GRIFFIN R. WAGNER, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:24-CV-2119-NIQA</p>
<p>JEROME FRASIER, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC.,</p> <p>Defendant.</p>	<p>Case No. 2:24-CV-2121-NIQA</p>

DUSTIN BUSBY, individually and on behalf of all others similarly situated, Plaintiff, v. FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC., Defendant.	Case No. 2:24-CV-2129-NIQA
TIMOTHY COURTNEY, on behalf of himself and all others similarly situated, Plaintiff, v. FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC., Defendant.	Case No. 2:24-CV-2153-NIQA
ONIEQUE MORGAN, individually, and on behalf of himself and all others similarly situated, Plaintiff, v. FINANCIAL BUSINESS AND CONSUMER SOLUTIONS, INC., Defendant.	Case No. 2:24-CV-2163-NIQA

**INTERVENOR BUSBY’S MOTION TO INTERVENE AND SET DEADLINE FOR
MOTIONS TO APPOINT INTERIM CO-LEAD CLASS COUNSEL**

Proposed Intervenor Dustin Busby (“Intervenor Busby”) moves this Court, under Federal Rule of Civil Procedure 24, to intervene in the case captioned *Marc Reichbart v. Financial*

Business and Consumer Solutions, Inc., No. 2:24-cv-01876-NIQA (“Reichbart Action”).

If granted permission to intervene, Intervenor Busby also respectfully asks that the Court set a deadline of June 7, 2024, by which counsel who wish to propose an alternative leadership structure to the one proposed in the in the Reichbart Action, pursuant to the Amended Motion to Consolidate Cases and Appoint Interim Co-Lead Class Counsel filed by Plaintiffs Reichbart, Stallone, Alison Croteau, Kevin Brooks, Mickey Hwang, and Dana Kerr (the “Coordinated Plaintiffs”) to Consolidate Cases and Appoint Interim Co-Lead Class Counsel (the “Amended Motion”) [See DE 8 in the Reichbart Action].

There are presently at least 13 cases pending before the Federal Courts arising from the data breach at Defendant Financial Business and Customer Solutions, Inc. (“FBCS”). These are: *Marc Reichbart v. Financial Business and Consumer Solutions, Inc.*, No. 24-cv-1876-NIQA (E.D. Pa. May 2, 2024); *Joseph Stallone v. Financial Business and Consumer Solutions, Inc.*, No. 24-cv-1901-NIQA (E.D. Pa. May 4, 2024); *Alison Croteau v. Financial Business and Consumer Solutions, Inc.*, No. 24-cv-1946-NIQA (E.D. Pa. May 7, 2024); *Kevin Brooks v. Financial Business and Consumer Solutions, Inc.*, No. 24-cv-2007-NIQA (E.D. Pa. May 10, 2024); *Jesse Apthorp v. Financial Business and Consumer Solutions, Inc.*, No. 24-cv-2024-PD (E.D. Pa. May 10, 2024); *Sophie Cahen Vorburger v. Financial Business and Consumer Solutions, Inc.*, No. 24-cv-2045-NIQA (E.D. Pa. May 13, 2024); *Mickey Hwang v. Financial Business and Consumer Solutions, Inc.*, No. 24-cv-2033-NQIA (E.D. Pa. May 13, 2024); *Dana Kerr v. Financial Business and Consumer Solutions, Inc.*, No. 24-cv-2075-NQIA (E.D. Pa. May 15, 2024); *Derrick Vines and Bradford Wicks v. Financial Business and Consumer Solutions, Inc.*, No. 2:24-cv-2085-NQIA (E.D. Pa. May 15, 2024); *Jerome Frasier v. Financial Business and Consumer Solutions, Inc.*, No. 2:24-cv-02121-NIQA (E.D. Pa. May 17, 2024); *Griffin R. Wagner v. Financial Business and*

Consumer Solutions, Inc., No. 24-cv-02119-NIQA (E.D. Pa. May 17, 2024); *Timothy Courtney v. Financial Business and Consumer Solutions, Inc.*, No. 2:24-cv-02153-KSM (E.D. Pa. May 20, 2024); and *Onieque Morgan v. Financial Business and Consumer Solutions, Inc.*, No. 2:24-cv-02163-NIQA (E.D. Pa. May 21, 2024).

Eleven (11) of the related actions, including the *Busby* action, are before District Judge Nitza I. Quiñones Alejandro, while the remaining two (2) actions have been initially assigned to District Judge Paul S. Diamond (*Jesse Apthorp v. Financial Business and Consumer Solutions, Inc.*, No. 4-cv-2024-PD) and District Judge Karen S. Marston (*Timothy Courtney v. Financial Business and Consumer Solutions, Inc.*, No. 2:24-cv-2153-KSM).

Intervenor Busby is the Plaintiff in the case captioned *Busby v Financial Business and Consumer Solutions, Inc.*, Case: 2:24-cv-02129, filed on May 17, 2024. Only two business days later, and without any notice to Intervenor Busby, the Coordinated Plaintiffs in the Reichbart Action filed the Amended Motion, seeking appointment of Interim Co-lead Class Counsel which would exclude Intervenor Busby and his counsel from having any leadership role in this litigation. Such a rush to seek appointment without providing an opportunity to counsel in all cases to file a leadership application, deprives the Court of the opportunity to ensure interim counsel for the class is appointed pursuant to rule 23(g) criteria, and that the counsel appointed will best serve the interests of the proposed Class.

The appointment of interim class counsel ought to be performed in a measured and considered manner. All counsel involved ought to have time to review the filed Complaints and consider their position on consolidation and the appropriate distribution of tasks and roles among interim co-counsel. The Court needs to be able to review the qualifications, potential contributions and resources of all Class Counsel who wish to take a leadership role in this litigation. This has

not occurred in this case.

Accordingly, Intervenor Busby respectfully requests that: (1) this Court permit him to intervene in the Reichbart Action; and (2) this Court set a deadline of June 7 for all parties to file a motion seeking appointment of Interim Co-Lead Class Counsel.

Dated: May 31, 2024

Respectfully Submitted,
/s/ K. Clancy Boylan

<p>John A. Yanchunis* JYanchunis@forthepeople.com Ronald Podolny* ronald.podolny@forthepeople.com MORGAN & MORGAN COMPLEX LITIGATION GROUP 201 North Franklin Street 7th Floor Tampa, FL 33602 T: (813) 223-5505 F: (813) 223-5402</p>	<p>Kevin Clancy Boylan Attorney ID: 314117 cboylan@forthepeople.com MORGAN & MORGAN 2005 Market Street, Suite 350 Philadelphia, Pennsylvania 1910 T: (215) 446-9795</p>
--	--

**Pro hac vice forthcoming*

*Attorneys for Plaintiff Busby and the
Proposed Class*